

**UNITED STATES DISTRICT COURT  
IN THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**THOMAS H. CLAY,**  
**Petitioner**

**v.**

**DOUGLAS DRETKE,**  
**Director TDCJ-ID,**  
**Respondent**

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**C.A. No. C-05-427**

**MEMORANDUM OPINION AND ORDER DENYING**  
**PETITION FOR WRIT OF HABEAS CORPUS**

On April 14, 2006, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 36). The petitioner timely filed his objections (D.E. 37, 38). Having reviewed *de novo* the Magistrate Judge's Memorandum and Recommendation and the pleadings on file, in conjunction with the petitioner's objections, this Court adopts the findings and conclusions of the Magistrate Judge.

Reiterating the legal standard properly discussed by the Magistrate Judge, a state prisoner may not obtain federal habeas corpus relief with respect to a claim that was adjudicated on the merits in State court unless the adjudication resulted in a decision that was (1) contrary to, or involved an unreasonable application of clearly established law, as determined by the Supreme Court of the United States; or (2) based on an unreasonable determination of the facts in light of the evidence presented in the State court proceedings. 28 U.S.C. § 2254(d) (1996).

In this case, the petitioner makes nineteen (19) objections to the Magistrate Judge's Memorandum and Recommendation. The petitioner's objections assert that the Magistrate Judge's findings were improper because she did not conduct a proper review of his claims. In support of his objections, the petitioner merely reurges the factual and legal bases for his claims, makes conclusory allegations and presents legal arguments that are inconsistent with the existing law governing federal habeas corpus review. The Court finds that the petitioner's objections are without merit. Therefore, the Court finds that the petitioner has failed to establish a cognizable basis for federal habeas corpus relief.

Accordingly, the respondent's motion for summary judgment is GRANTED, and the petitioner's application for habeas corpus relief is DISMISSED with prejudice. In addition, the petitioner's motion for relief from judgment is DENIED as moot, and the petitioner's motions for evidentiary hearing and a bench warrant are DENIED. Further, the petitioner's Certificate of Appealability is DENIED.

ORDERED October 6, 2006.

A handwritten signature in black ink that reads "Hayden Head". The signature is written in a cursive, flowing style.

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HAYDEN HEAD  
CHIEF JUDGE

